



Haryana Government Gazette

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No. 35-2020] CHANDIGARH, TUESDAY, SEPTEMBER 1, 2020 (BHADRA 10, 1942 SAKA)

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PART – I

Notifications, Orders and Declarations by Haryana Government

HARYANA GOVERNMENT

PUBLIC WORKS (BUILDINGS AND ROADS) DEPARTMENT

Notification

The 14th May, 2020

TRANSFER POLICY IN THE CADRE OF JUNIOR ENGINEER (CIVIL) PUBLIC WORKS DEPARTMENT (BUILDINGS & ROADS), HARYANA.

No. 4/42/2018-6B&R(W).— in exercise of power conferred by the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following Online Transfer Policy for the Government employees:—

1. Vision :

To ensure equitable, demand-based distribution of the Junior Engineer (Civil) to increase the contribution of Public Works can hardly be overemphasized. The spans of Public Works have stretched beyond the traditional domain of public Buildings, Roads and Bridges and protect the infrastructures and optimize job satisfaction amongst its employees in a fair and transparent manner.

2. Main Features :

- (i) This Transfer Policy shall be applicable w.e.f. the financial year 2019-20.
- (ii) The Transfer Policy shall be applicable in the cadre of Junior Engineers (Civil), who are member of State Cadre are liable to be public Buildings, Roads and Bridges and protect the infrastructures and transferred anywhere in the State, at any point of time.
- (iii) While effecting transfers, the major projects of the department shall be supreme. Transfers and postings are a right of the department, which it would endeavor to exercise in the best interest of public works and transparency vis-à-vis its employees.
- (iv) All transfers and postings shall be made through online procedure on the basis of the choices given by the employees.
- (v) No TA/DA will be given if the transfer is done on the request of the employee himself or if he is being given a posting of his/her choice.

- (vi) Transfers will be done preferably in the month of April and May. No transfers shall be done except in the extraordinary situations.
- (vii) Minimum stay for seeking transfer shall be three years after which he can participate in drive.
- (viii) Normal tenure of an employee at any office and place of posting shall be of 5 years in a Sub Division, 10 years in a Division and 12 years in a Circle respectively. However, further an employee who has completed tenure will be eligible to seek transfer against vacancy or on mutual transfer basis.
- (ix) Employees due for retirement within next one year will not normally be considered for transfer except administrative exigency or on their own request.
- (x) Posting with an employee spouse (including Central Govt. Employee): as far as practicable request for transfer to join an employee spouse, either at the same station or at nearby station shall be considered. In the event of tie among the same category of employees spouses, lady employee shall be given preference over male employee.

3. **Units of the department :**

The department comprises the following units:—

Formation of Units:—

(1) **Sub-Division:** - Three or more section constitutes a Sub-Division, which, as its name implies, is a sub unit of the 'Division charge' and is manned by a Sub-Division Officer i.e. Sub Divisional Engineer. The Sub-Division Officer is responsible for the management and execution of work and upkeep and maintenance of public works within the Sub-Division.

(2) **Division:** - Normally a complement of three or four Sub-Division forms a Division, which is the executive unit of the Department and is in the charge of the Executive Engineer. The Division Officer is responsible to the Superintending Engineer, for the execution and management of all works and upkeep and maintenance of public works within the Division.

(3) **Circle:** - The Circle is the administrative unit of the Department, generally consisting of three or four Division in-charge of a Superintending Engineer, who is responsible to the Engineer-in-Chief for the administration and general professional control of public works within the Circle. Sometimes, project and planning Circles are also formed for carrying out surveys and preparation of schemes for major projects.

(4) **Head Office:** - The administrative and professional head of the Department is the Engineer-in-Chief. He is responsible for the efficient working of the Department and is also the technical professional adviser of Government in all matters relating to his charge or on which his advice may be desired.

4. **Time Schedule :**

- (i) **The periodicity of the transfers:—** General transfers shall be made only once in a year, as per time schedule given below or as notified by the Govt. for a specific year. However, transfers can be affected by the Government at any time during the year in cases of Administrative exigency, sudden death of spouse, chronic disease/permanent disability of spouse, transfer of spouse employees of departments/organizations of Government of Haryana and on compassionate grounds other than the special categories like women, widows, widowers, differently abled persons, serious ailment. The reasons for transfers under these grounds shall be recorded on file.
- (ii) **Time Schedule:—** The following time schedule shall be followed for various activities every year except the first year in which **online transfer** policy is being implemented:—
 - (a) The decision about the opening of new subordinate offices, rationalization of staff shall be done from **1st January to 31st January** every year.
 - (b) Notification of 'actual vacancies' and 'deemed vacancies' will be done from **1st February to 28th February** every year.
 - (c) Eligible employees will submit their choice of station online, from **1st March to 15th March** every year.
 - (d) Transfer orders will be issued from **1st April to 15th April**, every year.
 - (e) Qualifying date for actual vacancies, Deemed vacancies, point's calculation and count of stay shall be **30th April**, every year.
 - (f) The transfer orders shall be effective from **1st May** of the year.

5. Basic Principles :

- (i) Transfer/ posting to the opted Sub Division/Division will not be claimed or treated as a matter of right.
- (ii) Each year vacancy in the Sub Division/Division will be notified. Definition of actual vacancy and deemed vacancy is given in para 8.
- (iii) The option once availed and confirmed shall be final and can be changed only under the provision of this policy.
- (iv) Unless protected under a provision of this policy, every Junior Engineer (Civil) completing continuous stay *i.e.* **5 years in a Sub Division**, 10 years in a Division and 12 years in a particular Sub Division/ Division/Circle shall be transferred.
- (v) In some cases, no option is received for a “Deemed Vacancy”. In such a case, Junior Engineer (Civil) occupying the post will be allowed to continue at the same station for the year, if he/she opts for this. In such a scenario, his/ her immediate next option shall stand exhausted and after the completion of his extended tenure, he/she will consider for his/ her next priority zone and onwards. Such Junior Engineer (Civil) shall not be allowed to seek transfer before the completion of his/her stretched tenure of next five years.
- (vi) The eligible employees will opt their choice of station online as per the notified schedule. If an employee opts for “anywhere in the State” and is thereafter posted in any of Sub-Division.

6. Transfer on Administrative Grounds :

Junior Engineer (Civil) can be transferred at any point of time after seeking a prior order of the State Government on Administrative grounds. However, specific administrative grounds for which an employee is sought to be transferred shall be cited in the noting of the file.

7. Criteria for deciding the claim against vacancy :

- (i) The decision of allotment to a vacancy shall be based on the total composite score of points earned by the employee, out of 80 points as described below. The Junior Engineer (Civil)/ASDE (Civil) earning highest points shall be entitled to be transferred against a particular vacancy.
- (ii) Age shall be prime factor for deciding the claim of the employee against a vacancy since it shall have weight age of 60 points out of total 80 points.
- (iii) However, to take care of categories like women, women-headed households, widows, widowers, differently abled persons, serious ailment, and employee showing improvement in public works, a privilege of maximum 20 points can be availed by the employee of those categories(hereinafter to be referred as Special Category) . The division of points shall be as given in para 7 (iii)(a) and 7 (iii) (b) below:-

(a) Age:

Sr. No.	Major aspect	Max. Points	Calculation process
1.	Age (present date minus date of birth)	60	Age in a number of days ÷ 365 (maximum two decimal points).

(b) Special Category:

Sr. No.	Major aspect	Sub Aspect	Max. Points	Calculation process
1.	Gender	Female	10	10 points shall be given to female employees.
2.	Special category female employees	(i) War Widows (ii) Widows / Divorced / Legally Separated / Un-married female employees more than 40 years of age/wife of serving military personnel/ paramilitary personal working outside the state	07 05	--

Sr. No.	Major aspect	Sub Aspect	Max. Points	Calculation process
3.	Special category male employees	Widower (a male employee who has lost his wife and his not remarried) and has one or more minor children or unmarried daughters.	05	Eligible male widowers shall be given 5 points only. In case of remarriage of self/ children becoming major/ daughter getting married, the employee will have to update his profile on the portal and will not be eligible for this advantage anymore.
4.	Differently abled persons	Vision	20	40 % to 60% disability = 10 marks
		Locomotors	20	Above 60 to 80% = 12 marks
		Deaf and Dumb	20	Above 80% = 15 marks (max.)
				Above 80% Blind shall get 20 marks (maximum)
5.	Diseases of debilitating disorders List of Diseases: 1. Chronic Heart disease and Chronic Artery diseases. Chronic Renal Failure 2. Brain Tumours & Malignancy of different organs 3. Paraplegia/ Cuadriplegia/ Hemiplegia 4. Multiple Sclerosis, Myasthenia Gravis, Parkinson's Diseases 5. Thalassemia, Haemophilia, 6. Aplastic Anaemia, Myelodysplastic Disorders 7. AIDS Liver and Kidney transplant	Self	10	Certificate issued by AIIMS (including its branches in Haryana), PGI Chandigarh, and all Govt. Medical Colleges of Haryana. A certificate shall be considered valid for 3 years only – after 3 years new certificate shall be required to be submitted.
		Spouse/un-married children	7	
6.	Differently abled or mentally challenged children	An employee having mentally challenged or differently abled child.	10	Certificate issued by AIIMS (including its branches in Haryana), PGI Chandigarh, and all Govt. Medical Colleges of Haryana.
7.	Earning performance	An employee earning good performance through A.C.R. of current year (if written). In case of un-written ACR of current year, the previous year ACR be considered.	05	Out standing = 5 Very Good = 3 Good = 2

8.	Negative performance	Employees awarded with punishment under Rule-4B or 4A.	07 (minus) under 4B and 3.5 (minus) under 4A	Deduction of points	
				Under rule 4B	Under rule 4A
				1st = 1	1st= 0.5
				2nd= 2	2nd = 1
				3rd = 4	3rd = 2
				4th = 5	4th= 2.5
				5th and above= 7	5th and above = 3.5
				If an employee is punished under Rule 4A as well as 4B then deduction on both accounts will be considered up to maximum 10.5 points.	
A detailed circular containing guideline for measuring earning performance shall be issued by the competent authority from time to time.					
9.	Couple Case	Only applicable for females	05	Employees' spouses working in the State Government/Government of India	

Note: -

1. The employees who are 100% blind or having 80% or more locomotors disabilities involving both the legs shall be given their choice of posting.

8. Definition of vacant posts :

There shall be two types of vacancies (a) Actual Vacancy (b) Deemed Vacancy.

- (a) **Actual Vacancy:** A post not occupied by any employee, post which will become vacant due to retirement, promotion, voluntary retirement or otherwise as on date of display of vacancies as per schedule given in Para 4(ii)(b).

(b) Deemed vacancy:

- (a) **Involuntary deemed vacancy:** A post held by a Junior Engineer / ASDE previously or presently in the Zone/Division/Sub Division/ Head Office in department in any capacity for a period of four years or more on the qualifying date in present zone of posting.

Or

A post occupied by a Junior Engineer/ASDE given temporary manual posting due to non-availability of online transfer drive or technical problems or compulsions of administrative or litigation nature. However, it will not include the posts occupied by Junior Engineer/ASDE who become duly posted as an outcome of the grievance redressal mechanism of a general transfer drives.

- (b) **Voluntary deemed vacancy:** A post occupied by such Junior Engineer/ASDE who has been adjudged eligible and allowed to participate in general transfer drive, even if, he is not eligible otherwise on the minimum tenure criteria.

- (ii) Some vacancies of Junior Engineer/ASDE may remain unfilled at any point of time due to shortage of Junior Engineer/ASDE in the department. To avoid disproportionate concentration of Junior Engineer/ASDE in some Sub-Divisions/Zone, the department may block some actual vacant posts to be kept vacant in the transfer drive. The gap in sanctioned strength and actual number of JEs available will be evenly distributed various Sub-Divisions/zone to block the vacancies.

- (b) Posts occupied by **contractual employees** shall not be considered as 'vacant'.

9. Procedure to be adopted :

- (i) Keeping in view the criteria mentioned in para 8 above, DDO wise vacancies will be assessed before carrying out the transfer exercise.
- (ii) Unmarried female employees shall be given a chance to change options after their marriage, within two months, subject to the fulfillment of other conditions. Further married female employees shall also have an opportunity to change their option in case of the death of husband or in case of Legal Divorce from husband. A Male employee shall also be given the opportunity to change his option in case of death of his wife.
- (iii) On fresh appointment and in case of promotion, the employees shall give five choices for preferred station /DDO and the department will try to accommodate them in order of merit/seniority. However, they will have to serve at the allocated stations for at least three years. For this purpose, they will have to submit an undertaking along with the request that they will not make any request for transfer if they are accommodated in one of the five preferred station / DDO.

An option of 'anywhere in the State' may also be given while submitting the request for transfer.

- (iv) Employees joining the department on repatriation from deputations shall also be asked to give their option of station as per the policy.
- (v) Minimum stay for seeking transfer shall be 5 years in a Sub Division, 10 years in a Division and 12 years in a Circle respectively (except for Persons with disabilities). In administrative exigency, the department shall be at the liberty to post any employee at any of the choices given by him/her, irrespective of preference given.
- (vi) On the basis of the re-distribution of sanctioned posts, the employees who are found surplus (without a workload), shall compulsorily be shifted from their place of posting even if they have not completed their tenure of three years at the same station.
- (vii) Transfer/Posting to the opted station will not be claimed or treated as a matter of right.
- (viii) The option once availed and confirmed shall be final and can be changed only under the provisions of the policy.
- (ix) The request for mutual transfer will also be submitted online. However, such request will not be entertained in case both the applicants are posted at the stations within Home Tehsil each other.

10. Posting in remote areas: Incentive for serving on the choice of Anywhere in the State: If an employee opts for 'anywhere in the State' and is thereafter posted in an office in Morni Hills Area or Nuh District against a vacancy for which no employee has opted, he will be paid remuneration @ 10% of the Basic Pay + D.A. during the period of said posting provided this incentive shall not be admissible in case of transfer in home District Nuh and Panchkula.

11. Mechanism to be adopted :

- (i) Every employee will be responsible for the accuracy and regular updating of data on the portal in respect of his/her credentials. In case he/she notices any discrepancy, he/she will get it rectified by adopting due procedure after producing the relevant evidence before the competent authority. He/she will be responsible for updating of the profile as and when any status is changed.
- (ii) All the options once exercised will be available for view to all concerned employee in their login.
- (iii) On fresh appointment and in case of promotion, the employee shall be considered for appointment against vacancies not-occupied by any incumbent across the State. However, the allocation shall be made on the basis of their choice and in accordance with the score obtained by them.
- (iv) The transfer exercise shall be carried out through online application software.

12. Disclaimer:

These guidelines regarding transfer are meant essentially for the internal use of the department and do not vest any employee with any right to transfer.

13. Power for relaxation of Guidelines

Notwithstanding anything contained in the policy, the Administrative Secretary, Public Works Department (Buildings & Roads), Haryana with the prior approval of the Chief Minister, Haryana, shall be competent to transfer any employee to any place in relaxation of any or all of the above provisions after recording reasons justifying such relaxation.

14. Interpretation of Guidelines

Administrative Secretary, Public Works Department (Buildings & Roads), Haryana shall be the sole competent authority to interpret above provisions and pass such order(s) as deemed appropriate and essential to facilitate the implementation of the policy for the purpose of effect, control and administration of the department as a whole.

15. Safeguard against the irrelevant influence

Employees shall not bring in any outside influence. If such an influence from whichever source supporting the cause of employee is received it shall be presumed that the same has been brought in by the employee. The request of such an employee shall not be considered. Action may also be initiated against such an employee under relevant Service Rules/ Employees Conduct Rules and an entry to this effect shall be made in his/her service record.

16. Authorities competent to effect transfers:

All transfers of employees shall only be made by the authority empowered to make the transfer of the employee as envisaged in transfer policy of State Government and subject to the directions issued by State Government from time to time.

17. Code of conduct:

All employees are expected to observe the civil services conduct rules and the transfer guidelines. Employees will not bring any outside influence. If such an influence from any source is received it shall be presumed that the same has been brought by the employees. The request of such employees shall not be considered. Any deviation in this regard will be viewed seriously and disciplinary action as warranted under rules shall be taken.

RAJEEV ARORA,
Additional Chief Secretary to Government,
Haryana, Public Works (B&R) Department.

Revised schedule for online Transfer policy is as under for only this year.

Time Schedule:— The following time schedule shall be followed for various activities every year except the first year in which **online transfer** policy is being implemented :—

- (a) The decision about the opening of new subordinate offices, rationalization of staff shall be done from **1st January to 31st January** every year.
- (b) Notification of 'actual vacancies' and 'deemed vacancies' will be done from **10th July to 15th July** for this year, 2020.
- (c) Eligible employees will submit their choice of station online, from **16th July to 30th July** for this year, 2020.
- (d) Transfer orders will be issued from **4th August to 14th August** for this year, 2020.
- (e) Qualifying date for actual vacancies, Deemed vacancies, point's calculation and count of stay shall be **31st December, 2019** for this year, 2020.
- (f) The transfer orders shall be effective from **18th August, 2020** of this year, 2020.

RAJEEV ARORA,
Additional Chief Secretary to Government,
Haryana, Public Works (B&R) Department.